

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/520,094 Confirmation No.: 9375
Applicant : Lange et al.
Filed : August 26, 2005
TC/A.U. : 1635
Examiner : R. Schnizer
Customer No. : 00270
Title : CONJUGATES OF PHOTSENSITIZERS AND
OLIGONUCLEOTIDES FOR SELECTIVE
PHOTOCHEMIOOTHERAPY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 35 USC § 121

Sir:

This paper is filed in response to the Office Action dated August 8, 2007 and issued for restriction purposes. A Petition under 37 CFR §1.136(a) to extend the time for response for five (5) months from September 8, 2007 to February 8, 2008 and the fee due under 37 CFR §1.17(a)(5) are enclosed herewith.

Elections begin on page 2.

Amendments to the Claims begin on page 3.

Remarks/Arguments begin on page 9.

ELECTIONS

In response to the requirement to elect the subject matter of Group 1 or 2, Applicants hereby elect the subject matter of Group 2, claims 30-34 and 37, i.e., subject matter drawn to methods of killing cells by photochemotherapy comprising the steps:

- (i) incubating target cells with an effective amount of a compound defined in Group 1, optionally bound to a carrier which increases the internalization of the compound
- (ii) allowing sufficient time for the compound to hybridise to a target nucleic acid sequence within the cells; and
- (iii) irradiating the target cells with electromagnetic radiation of a wavelength that corresponds to at least one absorption wavelength of the photosensitive moiety R such that R interacts through energy transfer with a molecule capable of producing free radicals, to produce free radicals which kill the cells.

After amendment, claims 2-24, 30-34 and 37 read on this election.